

STANDING CHAPTER 13 TRUSTEE ALEJANDRO OLIVERAS RIVERA
REPORT OF ACTION TAKEN
MEETING OF CREDITORS

In re:

JUAN CARLOS MASSA VELAZQUEZ

Case No. 20-03763-MCF

Chapter 13

Attorney Name: ROBERTO FIGUEROA CARRASQUILLO*

I. Appearances		Date & Time: 10/28/2020 1:30:00AM
Debtor	<input checked="" type="checkbox"/> Present <input type="checkbox"/> Absent	<input checked="" type="checkbox"/> R <input type="checkbox"/> NR LV: 0.00
Joint Debtor	<input type="checkbox"/> Present <input type="checkbox"/> Absent	<input checked="" type="checkbox"/> This is debtor(s) 1 Bankruptcy filing.
Attorney for Debtor	<input checked="" type="checkbox"/> Present <input type="checkbox"/> Absent	Creditors:
<input type="checkbox"/> Prose		<u>Banco Popular de P.R. by Mr. Miguel Rivera</u>
<input checked="" type="checkbox"/> Appearing: Roberto Figueroa Carrasquillo, Esq.		
II. Oath Administered		
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
III. Plan		
Date: 09/24/2020 Base: \$13,500.00 Payments 1 made out of 1 due.		
Confirmation Hearing Date: 11/20/2020 1:30:00PM		
Evidence of Pmt shown:		
Attorney's fees as per R. 2016(b)		
\$4,000.00 - \$128.00 = \$3,872.00		
IV. Status of Meeting		
<input checked="" type="checkbox"/> Closed <input type="checkbox"/> Not Held <input type="checkbox"/> Held/Continued		
<input type="checkbox"/> Held/Not Closed		
<input type="checkbox"/> Continued		
Continued Date:		
Comments:		
<input type="checkbox"/> M.T.D. to be filed by Trustee: Debtor(s) failed to: <input type="checkbox"/> Appear: <input type="checkbox"/> Commence payments		
<input type="checkbox"/> Keep payments current <input type="checkbox"/> does (do) not qualify as a debtor (§109):		
<input type="checkbox"/> MTD Already filed, see Docket:		
<input type="checkbox"/> Other:		

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(Cont.)

Trustee's Report on Confirmation

☐ FAVORABLE

☒ UNFAVORABLE

- ☐ Feasibility
- ☐ Insufficiently funded
- ☐ Unfair discrimination
- ☐ Fails disposable income
- ☐ Fails liquidation value test
- ☐ Insuarence quote

- ☐ No provision for secured creditor(s)
- ☐ Tax returns missing
 - ☐ State - years
 - ☐ Federal - years

Pending/Items/ Documents:

- ☐ DSO Recipient's Information
- ☐ Evidence of being current with DSO
- ☐ Evidence of income

- ☐ Monthly reports for the months
- ☐ Public Liability Insurance
 - ☐ Premises
 - ☐ Vehicle(s):
 - ☐ Licenses issued by:

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Trustee's objection to confirmation

☒ Objection to Confirmation

☐ Oral objection by creditor

ACP:3

Household size: 1

ID (Lic), SS, W/S, TX, OK , Nmar, manager

Plan: \$375x36= \$13,500

G.U. 2%

NOTE: Debtor testified that he works for his father's corporation and owns no shares, nor has interest in his father's corporation.

NOTE: Debtor testified he lives with his mother and pays no rent.

NOTE: Debtor testified that he owns no car and uses a car of his father, which he has some expenses for maintenance.

NOTE: Debtor testified he received and spent the 2019 state tax refund pre-petition.

NOTE: Debtor testified he has never owned a real property.

NOTE: Debtor stated he did not receive any work income during April, May and June, 2020.

Matters:

FEASIBILITY, Section 1325(a)(6):

a. Debtor has financial assistance from a father/mother.. Being part of the income disclosed in Schedule I, which is filed with the Court under penalty of perjury, debtor needs to file evidence or any statement by the provider, must be in the English language, under penalty of perjury, and filed with the Court, to be part of the record case.

b. Debtor needs to disclosed 2018 income in SOFA line 4.

c. Plan needs to include special treatment for BPPR's auto loan, which for debtor is unsecured. The auto is owned by a friend, Madeline Diaz Carrasquillo and debtor served as co-debtor. Being this the case, plan should disclose that trustee will not make disbursements to BPPR's debt regarding an auto loan where debtor served as co-debtor,

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unless the claim is filed or amended disclosing a deficiency debt.

The following party(ies) object(s) confirmation:

s/Miriam Salwen

Date: 10/28/2020

Trustee/Presiding Officer

(Rev. 05/13)